Agriculture and Natural Resources Appropriations Bill House File 2540

FINAL ACTION

May 3, 2006

An Act relating to and making appropriations involving State government, including provisions affecting agriculture and natural resources, providing fees, and providing an effective date.

Fiscal Services Division
Legislative Services Agency

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available on line at http://www3.legis.state.ia.us/noba/index.jsp

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EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

HOUSE FILE 2540 AG/NATURAL RESOURCES APPROPRIATIONS BILL

FUNDING SUMMARY

NEW PROGRAMS, SERVICES, OR ACTIVITIES

- Appropriates a total of \$38.0 million from the General Fund and 1,526.0 FTE positions for FY 2007. This is an increase of \$1.3 million and 19.0 FTE positions compared to the estimated FY 2006 General Fund appropriation. The Bill also appropriates \$39.1 million from other funds.
- Appropriates \$1.0 million from the General Fund to Iowa State University for operations at the Veterinary Diagnostic Laboratory. (Page 8, Line 35)
- Appropriates a \$10,000 FY 2006 supplemental appropriation to the Iowa Shorthorn Association for the National Junior Show. (Page 4, Line 17)
- Increases the appropriation from the Fish and Game Protection Fund by \$1.8 million and 11.0 FTE positions for the following (Page 5, Line 6):
- \$1.0 million and 9.0 FTE positions for additional patrol staff for boat safety and prevention of aquatic invasive species.
- \$120,000 and 1.0 FTE position for a Water Safety/Water Trails Coordinator.
- \$230,000 for the Missouri River Fisheries Project.
- \$375,000 for the increased cost of gasoline.
- 1.0 FTE position for an administrative assistant to assist with various recreation programs.
- \$120,000 for a shooting sports program.
- Allocates \$300,000 from the Solid Waste Account in the Groundwater Protection Fund for a Statewide Computer Recycling Program. (Page 6, Line 12)
- Creates a National Pollutant Discharge Elimination System (NDPES) Permit Fund and appropriates:
 - \$600,000 and 6.0 FTE positions to the DNR for processing NPDES permits. (Page 12, Line 29)
- \$100,000 and 2.0 FTE positions to the Department of Economic Development (DED) to provide technical assistance to NPDES applicants. (Page 13, Line 9)
- Makes the following General Fund increases or decreases for FY 2007:
- Department of Agriculture and Land Stewardship:
- \$50,000 increase for the Dairy Products Bureau. (Page 2, Line 13)
- \$50,000 increase to reimburse Soil and Water Conservation District Commissioners for administrative expenditures. (Page 3, Line 14)

MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS

EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

HOUSE FILE 2540 AG/NATURAL RESOURCES APPROPRIATIONS BILL

MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS (CONTINUED)

SIGNIFICANT CHANGES TO THE CODE OF IOWA

STUDIES AND INTENT LANGUAGE

- . Department of Natural Resources (DNR):
- \$175,000 increase to DNR for operations. (Page 4, Line 28)
- Adds 11.0 FTE positions for programs funded with money from the Fish and Game Protection Fund. (Page 4, Line 28)
- Appropriates \$50,000 from the Agrichemical Remediation Fund to ISU for the continuation of the Open Feedlot Study. This is a decrease of \$50,000 compared to FY 2006. (Page 8, Line 18)
- · Specifies nonreversion of funds appropriated to the following:
- · Avian Influenza Fund. (Page 2, Line 32)
- NPDES Permit Fund. (Page 10, Line 34)
- Allows the DNR to use unappropriated funds from the State Fish and Game Protection Fund for payment of conservation peace officer retirement benefits. (Page 5, Line 18)
- Permits the DNR to use Stormwater Discharge Permit Fees to fund the following:
- 2.0 FTE positions to review and approve flood plain permit applications. (Page 7, Line 29)
- 2.0 FTE positions for the federal Total Maximum Daily Load Program. (Page 8, Line 5)
- Specifies the DNR will use a competitive grant process to award funding for the computer recycling program. (Page 6, Line 12)
- Specifies any remaining funds appropriated in FY 2006 for livestock air quality monitoring do not revert and can be used by the DNR for staffing, support, maintenance, and miscellaneous purposes. The FY 2006 appropriation was from Stormwater Permit Fees. (Page 7, Line 16)
- Specifies ISU cannot reduce other funding to the Veterinary Diagnostic Laboratory and that any unallocated funds to the Veterinary Diagnostic Laboratory will revert to the General Fund at the end of the fiscal year. Also specifies that the General Assembly intends to provide additional funding to the Veterinary Diagnostic Laboratory in future years. This includes \$2.0 million for FY 2008, \$3.0 million for FY 2009, and \$4.0 million for FY 2010. (Page 9, Line 10 through Page 9, Line 31)
- Specifies that beginning in FY 2008, any unused funds collected for the establishment of permanent household hazardous waste collection sites will be used for payment of transportation costs related to household hazardous waste programs. (Page 14, Line 2)
- Requires the departments within the Agriculture and Natural Resources Appropriations Subcommittee to review their short-term use of vehicles and revise their policies on short-term use to maximize cost savings. The departments are required to issue an initial report by December 1, 2006, and a follow-up report by December 1, 2007, to the Government Oversight Committees, on their policy revisions and the savings realized from the changes. (Page 14, Line 24)

EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

HOUSE FILE 2540 AG/NATURAL RESOURCES APPROPRIATIONS BILL

EFFECTIVE DATE

• Specifies the FY 2006 supplemental appropriation to the Iowa Shorthorn Association is effective upon enactment. (Page 15, Line 7)

ENACTMENT DATE

• This Bill was approved by the General Assembly on May 3, 2006.

House File 2540

House File 2540 provides for the following changes to the <u>Code of Iowa</u>.

Page #	Line #	Bill Section	Action	Code Section	Description
2	32	5	Nwthstnd	Sec. 8.33	Nonreversion of Avian Influenza Program Funds
5	18	12	Nwthstnd	Sec. 455A.10	Payment of Fish and Wildlife Officer Retirement Benefits
7	16	16	Nwthstnd	Sec. 8.33	Nonreversion of FY 2006 Livestock Air Quality Monitoring Appropriation
7	29	17	Nwthstnd	Sec. All	Use of Stormwater Permit Fees for Stormwater Permit Fee Backlog
8	5	18	Nwthstnd	Sec. All	Use of Stormwater Permit Fees for Total Maximum Daily Load Program
9	33	22	Amends	Sec. 455B.103A(4), Code Supplement 2005	Deposits NPDES Permit Fees Into the NPDES Permit Fund
10	6	22	Adds	Sec. 455B.103A(4)(b), Code Supplement 2005	Requires Commission to Adopt Rule for NPDES
10	9	23	Adds	Sec. 455B.105(11)(c), Code Supplement 2005	Administrative Rules for NPDES Permits
10	16	24	Adds	Sec. 455B.196	Creates the NPDES Permit Fund
10	34	24	Nwthstnd	Sec. 8.33, 12C.7	Nonreversion of NPDES Permit Funds
11	4	25	Adds	Sec. 455B.197	NPDES Permit Fees

PG LN	House File 2540	Explanation
1 1 1 2	DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP GENERAL APPROPRIATIONS	
1 4 app 1 5 dep 1 6 yea 1 7 follo 1 8 use 1 9 Fo 1 10 div 1 11 sal 1 12 for 1 13 po 1 14	ection 1. GENERAL FUND DEPARTMENT. There is propriated from the general fund of the state to the partment of agriculture and land stewardship for the fiscal ar beginning July 1, 2006, and ending June 30, 2007, the owing amount, or so much thereof as is necessary, to be ed for the purposes designated: or purposes of supporting the department, including its visions, for administration, regulation, and programs, for allaries, support, maintenance, miscellaneous purposes, and r not more than the following full-time equivalent ositions: \$ 17,837,900 FTES 404.39	General Fund appropriation to the Administrative Division of the Department of Agriculture and Land Stewardship. DETAIL: Maintains the current level of General Fund support and FTE positions.
1 17 sh	f the amount appropriated in this section at least \$50,000 hall be allocated to support a program relating to the etection, surveillance, and eradication of the gypsy moth. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP DESIGNATED APPROPRIATIONS ANIMAL HUSBANDRY	Specifies the Department of Agriculture and Land Stewardship must spend at least \$50,000 on the eradication of Gypsy Moth.
1 22 PF 1 23 sta 1 24 for 1 25 30 1 26 ne 1 27 Fc 1 28 cor 1 29 wh	ec. 2. GENERAL FUND CHRONIC WASTING DISEASE CONTROL ROGRAM. There is appropriated from the general fund of the ate to the department of agriculture and land stewardship or the fiscal year beginning July 1, 2006, and ending June 10, 2007, the following amount, or so much thereof as is accessary, to be used for the purposes designated: or purposes of administering a chronic wasting disease antrol program for the control of chronic wasting disease which threatens farm deer as provided in chapter 170,	General Fund appropriation to the Chronic Wasting Disease Program. DETAIL: Maintains the current level of General Fund support.

1 30 including for salaries, support, maintenance, and

PG LN	House File 2540	Explanation
1 31 miscellaneo	us purposes: \$ 100,000	
1 34 testing of far 1 35 wasting dise	m may include procedures for the inspection and rm deer, responses to reported cases of chronic ease, and methods to ensure that owners of farm gage in the movement and sale of farm deer.	Specifies the Program will include inspection and testing of farm deer, response to reported cases of Chronic Wasting Disease, and procedures for moving farm deer around the State resulting from a sale.
2 3 the moneys a 2 4 agriculture ar 2 5 July 1, 2006, 2 6 or so much tl 2 7 purposes des 2 8 For purpose 2 9 and enforcen 2 10 section 99D. 2 11 and miscella	es of supporting the department's administration ment of horse and dog racing law pursuant to .22, including for salaries, support, maintenance,	Appropriates a total of \$305,516 to the Native Horse and Dog Breeder's Program from the unclaimed pari-mutuel receipts winnings. DETAIL: Maintains the current level of funding.
2 14 appropriated 2 15 department of 2 16 year beginni 2 17 following am 2 18 used for the 2 19 For purpose 2 20 products cor 2 21 maintenance	NERAL FUND DAIRY PRODUCTS CONTROL. There is defrom the general fund of the state to the of agriculture and land stewardship for the fiscal ing July 1, 2006, and ending June 30, 2007, the mount, or so much thereof as is necessary, to be purposes designated: es of supporting the operations of the dairy including for salaries, support, e, and miscellaneous purposes:	General Fund appropriation to the Dairy Products Control Bureau. DETAIL: This is an increase of \$50,000 compared to the estimated FY 2006 General Fund appropriation.
2 24 appropriated	NERAL FUND AVIAN INFLUENZA CONTROL. There is different from the general fund of the state to the of agriculture and land stewardship for the fiscal	General Fund appropriation to the Avian Influenza Program. DETAIL: Maintains the current level of General Fund support.

PG LN	House File 2540	Explanation
2 26 year bogin	ning July 1, 2006, and anding June 30, 2007, the	

 2 26 year beginning July 1, 2006, and ending June 30, 20 2 27 following amount, or so much thereof as is necessar 2 28 used for the purpose designated: 2 29 For purposes of controlling avian influenza by condu 2 30 testing and monitoring: 2 31	ry, to be
 2 32 Notwithstanding section 8.33, moneys appropriated 2 33 section that remain unencumbered or unobligated at 2 34 of the fiscal year shall not revert but shall remain ava 2 35 to be used for the continued testing and monitoring of 3 1 influenza. 	t the close Influenza Program Fund. ailable
3 2 Sec. 6. GENERAL FUND APIARY LAW. There is 3 3 from the general fund of the state to the department of 4 agriculture and land stewardship for the fiscal year bor 5 July 1, 2006, and ending June 30, 2007, the following 6 or so much thereof as is necessary, to be used for the 7 purposes designated: 3 8 For purposes of administering and enforcing apiary 9 provided in chapter 160, including for salaries, supposed 10 maintenance, and miscellaneous purposes: 3 11	of eginning DETAIL: Maintains the current level of General Fund support. g amount, lee
3 12 DEPARTMENT OF AGRICULTURE AND LAN 3 13 DESIGNATED APPROPRIATIONS MISCE	
 3 14 Sec. 7. GENERAL FUND SOIL AND WATER CO 3 15 DISTRICTS. There is appropriated from the genera 3 16 state to the department of agriculture and land stewa 	If fund of the Commissioners for expenditure reimbursement.

3 17 for the fiscal year beginning July 1, 2006, and ending June

3 18 30, 2007, the following amount, or so much thereof as is

3 19 necessary, to be used for the purposes designated:

3 20 For purposes of reimbursing commissioners of soil and water

DETAIL: This is an increase of \$50,000 compared to the estimated FY 2006 General Fund appropriation.

PG LN	House File 2540	Explanation
3 22 but not lim 3 23 profession	ion districts for administrative expenses including nited to travel expenses, technical training, and nal dues:\$ 250,000	
3 26 from an al 3 27 submit a r 3 28 departmer 3 29 2007, accor 3 30 unexpend	I water conservation district receiving moneys ellocation provided pursuant to this section shall be soil conservation division of the ent of agriculture and land stewardship by July 1, ounting for moneys which have been expended or ed or which have been obligated or encumbered. The ell state how the moneys were used.	Specifies that Soil and Water Conservation Districts receiving funds must submit a report to the Soil Conservation Division in the Department of Agriculture and Land Stewardship by July 1, 2007, detailing the expenditure of funds.
3 33 PROGRA 3 34 state to th 3 35 for the fisc 4 1 30, 2007, t 4 2 necessary, 4 3 For purpo 4 4 nutrition pr 4 5 maintenan	GENERAL FUND SENIOR FARMERS MARKET NUTRITION M. There is appropriated from the general fund of the e department of agriculture and land stewardship cal year beginning July 1, 2006, and ending June the following amount, or so much thereof as is to be used for the purposes designated: sees of administering a senior farmers market ogram, including for salaries, support, ce, and miscellaneous purposes:	General Fund appropriation to the Senior Farmers' Market Nutrition Program. DETAIL: Maintains the current level of General Fund support.
4 8 AUTHORIT 4 9 state to the 4 10 for the fisc 4 11 30, 2007, 4 12 necessary 4 13 For purpo 4 14 the state in 4 15 section 28	GENERAL FUND STATE INTERAGENCY MISSOURI RIVER TY. There is appropriated from the general fund of the department of agriculture and land stewardship cal year beginning July 1, 2006, and ending June the following amount, or so much thereof as is to be used for the purpose designated: deses of supporting the department's membership in interagency Missouri river authority, created in SL.1, in the Missouri river basin association: \$ 9,535	General Fund appropriation to the Missouri River Authority. DETAIL: Maintains the current level of General Fund support.

4 17 Sec. 10. IOWA SHORTHORN ASSOCIATION. There is 4 18 appropriated from the general fund of the state to the 4 19 department of agriculture and land stewardship for the fiscal 4 20 year beginning July 1, 2005, and ending June 30, 2006, the 4 21 following amount, or so much thereof as is necessary, to be 4 22 used for the purpose designated: 4 23 For allocation to the lowa shorthorn association in 4 24 connection with the 2006 national junior shorthorn show: 4 25 \$ 10,000 4 26 DEPARTMENT OF NATURAL RESOURCES 4 27 **GENERAL APPROPRIATIONS** 4 28 Sec. 11. GENERAL FUND -- DEPARTMENT. There is 4 29 appropriated from the general fund of the state to the 4 30 department of natural resources for the fiscal year beginning 4 31 July 1, 2006, and ending June 30, 2007, the following amount, 4 32 or so much thereof as is necessary, to be used for the 4 33 purposes designated: 4 34 For purposes of supporting the department, including its 4 35 divisions, for administration, regulation, and programs, for 5 1 salaries, support, maintenance, miscellaneous purposes, and 5 2 for not more than the following full-time equivalent 5 3 positions: 5 4 \$ 17,967,579 5 5 FTEs 1,113.63

- 5 6 Sec. 12. STATE FISH AND GAME PROTECTION FUND -- DIVISION
- 5 7 OF FISH AND WILDLIFE.
- 5 8 1. a. There is appropriated from the state fish and game
- 5 9 protection fund to the department of natural resources for the
- 5 10 fiscal year beginning July 1, 2006, and ending June 30, 2007,

General Fund supplemental appropriation for FY 2006 to the Iowa Shorthorn Association for the National Junior Show.

General Fund appropriation to the Department of Natural Resources (DNR).

DETAIL: This is an increase of \$175,000 and 11.00 FTE positions compared to the estimated FY 2006 appropriation for the following:

- \$175,000 for operations in the DNR.
- 4.00 FTE positions for boat safety programs (seasonal employees).
- 4.00 FTE positions for the Aquatic Invasive Species Program (seasonal employees).
- 1.00 FTE position for the Aquatic Invasive Species Program.
- 1.00 FTE position for a Water Safety/Water Trails Coordinator.
- 1.00 FTE position for an administrative assistant to assist with the Water Safety/Water Trails Program and programs related to snowmobiles and all-terrain vehicles.

State Fish and Game Protection Fund appropriation to the Fisheries and Wildlife Bureaus in the DNR.

DETAIL: This is an increase of \$1,845,000 compared to the estimated FY 2006 appropriation for the following:

5 11 the following amount, or so much thereof as is necessary, to

- 5 12 be used for the purposes designated:
- 5 13 For purposes of supporting the division of fish and
- 5 14 wildlife, including for administration, regulation, and
- 5 15 programs, and for salaries, support, maintenance, equipment,
- 5 16 and miscellaneous purposes:
- 5 17 \$ 34,322,525
- 5 18 b. Notwithstanding section 455A.10, the department may use
- 5 19 the unappropriated balance remaining in the fish and game
- 5 20 protection fund to provide for the funding of health and life
- 5 21 insurance premium payments from unused sick leave balances of
- 5 22 conservation peace officers employed in a protection
- 5 23 occupation who retire, pursuant to section 97B.49B.
- 5 24 2. The department shall not expend more moneys from the
- 5 25 fish and game protection fund than provided in this section,
- 5 26 unless the expenditure derives from contributions made by a
- 5 27 private entity, or a grant or moneys received from the federal
- 5 28 government, and is approved by the natural resource
- 5 29 commission. The department of natural resources shall
- 5 30 promptly notify the legislative services agency and the
- 5 31 chairpersons and ranking members of the joint appropriations
- 5 32 subcommittee on agriculture and natural resources concerning
- 5 33 the commission's approval.
- 5 34 Sec. 13. GROUNDWATER PROTECTION FUND -- WATER QUALITY.
- 5 35 1. There is appropriated from the groundwater protection
- 6 1 fund created in section 455E.11 to the department of natural
- 6 2 resources for the fiscal year beginning July 1, 2006, and
- 6 3 ending June 30, 2007, from those moneys which are not
- 6 4 allocated pursuant to that section, the following amount, or

- \$1,000,000 for additional patrol staff for boat safety and prevention of aquatic invasive species.
- \$120,000 for a Shooting Sports Program.
- \$120,000 for a Coordinator for a Water Safety/Water Trails Coordinator.
- \$230,000 for two biologists for the Missouri River Fisheries Project.
- \$375,000 for the increased cost of gasoline.

CODE: Allows the DNR to use unappropriated funds in the Fish and Game Protection Fund to provide compensation to retiring conservation officers. This includes payment of insurance premiums and unused sick leave.

DETAIL: There was one conservation officer that retired in FY 2005 with a retirement benefit cost of \$71,500.

Prohibits the DNR from expending more than the appropriation from the State Fish and Game Protection Fund unless additional revenues are received from a public or private entity. Requires the approval of the Natural Resource Commission and notification of the Chairpersons and Ranking Members of the Agriculture and Natural Resources Appropriations Subcommittee.

Groundwater Protection Fund appropriation to programs specified in Section 455E.11, Code of Iowa. These include:

- \$100,303 for the Storage Tanks Study.
- \$447,324 for the Household Hazardous Waste Program.
- \$62,461 for administration of the Private Well Testing Program.

6 5 so much thereof as is necessary, to be used for the purposes

- 6 6 designated:
- 6 7 For purposes of supporting the department's protection of
- 6 8 the state's groundwater, including for administration,
- 6 9 regulation, and programs, and for salaries, support,
- 6 10 maintenance, equipment, and miscellaneous purposes:
- 6 11 \$ 3.455.832
- 6 12 2. Of the amount of moneys to be allocated from the solid
- 6 13 waste account of the groundwater protection fund to develop
- 6 14 and implement demonstration projects for landfill alternatives
- 6 15 to solid waste disposal including recycling programs pursuant
- 6 16 to section 455E.11, subsection 2, paragraph "a", subparagraph
- 6 17 (1), subparagraph subdivision (c), \$300,000 shall be used for
- 6 18 purposes of supporting a one-year project to recycle hardware
- 6 19 or equipment associated with personal computers. The
- 6 20 department shall award the moneys provided in this subsection
- 6 21 using a competitive grant process on a statewide basis. The
- 6 22 department shall make the award to a person or persons who
- 6 23 apply in a manner and according to procedures required by the
- 6 24 department.
- 6 25 DEPARTMENT OF NATURAL RESOURCES
- 6 26 RELATED TRANSFERS
- 6 27 Sec. 14. SPECIAL SNOWMOBILE FUND -- SNOWMOBILE PROGRAM.
- 6 28 There is transferred on July 1, 2006, from the fees required
- 6 29 to be deposited in the special snowmobile fund under section
- 6 30 321G.7 to the fish and game protection fund and appropriated
- 6 31 to the department of natural resources for the fiscal year
- 6 32 beginning July 1, 2006, and ending June 30, 2007, the
- 6 33 following amount, or so much thereof as is necessary, to be
- 6 34 used for the purpose designated:
- 6 35 For purposes of administering and enforcing the state

- \$1,686,751 for Groundwater Monitoring.
- \$618,993 for the Landfill Alternatives Program.
- \$192,500 for the Waste Reduction and Assistance Program.
- \$297,500 for the Geographic Information System Program.
- \$50,000 for the Solid Waste Authorization Program.

DETAIL: Maintains the current level of support.

Allocates \$300,000 from the Solid Waste Account in the Groundwater Protection Fund for a Computer Recycling Program. Specifies the Department will grant money based on a competitive grant process on a Statewide basis.

DETAIL: This is new allocation.

Transfers \$100,000 from the Snowmobile Fund to the State Fish and Game Protection Fund for administration and enforcement of snowmobile programs.

DETAIL: Maintains the current level of funding.

PG LN House File 2540 **Explanation** 7 1 snowmobile program: 7 2\$ 100.000 7 3 DEPARTMENT OF NATURAL RESOURCES 7 4 DESIGNATED APPROPRIATIONS Unassigned Revenue Fund (Underground Storage Tank Fund) 7 5 Sec. 15. UNASSIGNED REVENUE FUND -- UNDERGROUND STORAGE 7 6 TANK SECTION EXPENSES. There is appropriated from the appropriation to the DNR. 7 7 unassigned revenue fund administered by the Iowa comprehensive DETAIL: Maintains the current level of funding. 7 8 underground storage tank fund board, to the department of 7 9 natural resources for the fiscal year beginning July 1, 2006, 7 10 and ending June 30, 2007, the following amount, or so much 7 11 thereof as is necessary, to be used for the purpose 7 12 designated: 7 13 For purposes of paying for administration expenses of the 7 14 department's underground storage tank section: 7 15 \$ 200.000 7 16 Sec. 16. STORMWATER DISCHARGE PERMIT FEES APPROPRIATION --CODE: Specifies nonreversion of funds appropriated in FY 2006 to 7 17 AIR QUALITY MONITORING. Notwithstanding section 8.33, any the DNR for livestock air quality monitoring. 7 18 moneys appropriated to the department of natural resources Specifies any remaining funds appropriated in FY 2006 for livestock 7 19 from stormwater discharge permit fees for the fiscal year air quality monitoring do not revert and can be used by the DNR for 7 20 beginning July 1, 2005, and ending June 30, 2006, pursuant to staffing, support, maintenance, and miscellaneous purposes. The FY 7 21 2005 Iowa Acts, chapter 178, section 2, that remain 2006 appropriation was from Stormwater Permit Fees. 7 22 unencumbered or unobligated at the close of the fiscal year 7 23 shall not revert but shall remain available until the close of 7 24 the succeeding fiscal year for expenditure for full-time 7 25 personnel to conduct air quality monitoring, which may include 7 26 but is not limited to staffing required to perform field 7 27 monitoring and laboratory functions, including salaries, 7 28 support, maintenance, and for miscellaneous purposes.

CODE: Allows the DNR to use Stormwater Permit Fees to fund 2.00

FTE positions for processing floodplain permits.

7 29 Sec. 17. STORMWATER DISCHARGE PERMIT FEES -- REDUCING

7 30 FLOODPLAIN PERMIT BACKLOG. Notwithstanding any contrary

PG LN	House File 2540	Explanation
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- $7\ 31\$ provision of state law, for the fiscal year beginning July 1,
- 7 32 2006, and ending June 30, 2007, the department of natural
- 7 33 resources may use additional moneys available to the
- 7 34 department collected from stormwater discharge permit fees for
- 7 35 the staffing of the following additional full-time equivalent
- 8 1 positions for the purposes designated:
- 8 2 For purposes of reducing the department's floodplain permit
- 8 3 backlog:
- 8 4FTEs 2.00
- 8 5 Sec. 18. STORMWATER DISCHARGE PERMIT FEES -- IMPLEMENTING
- 8 6 THE FEDERAL TOTAL MAXIMUM DAILY LOAD PROGRAM. Notwithstanding
- 8 7 any contrary provision of state law, for the fiscal year
- 8 8 beginning July 1, 2006, and ending June 30, 2007, the
- 8 9 department of natural resources may use additional moneys
- 8 10 available to the department from stormwater discharge permit
- 8 11 fees for the staffing of the following additional full-time
- 8 12 equivalent positions for the purposes designated:
- 8 13 For purposes of implementing the federal total maximum
- 8 14 daily load program:
- 8 15 FTEs 2.00
- 8 16 IOWA STATE UNIVERSITY
- 8 17 DESIGNATED APPROPRIATIONS
- 8 18 Sec. 19. AGRICULTURAL REMEDIATION FUND -- OPEN FEEDLOT
- 8 19 WATER QUALITY RESEARCH PROJECT. There is appropriated from
- 8 20 the agrichemical remediation fund created in section 161.7 to
- 8 21 the lowa state university of science and technology for the
- 8 22 fiscal year beginning July 1, 2006, and ending June 30, 2007,
- 8 23 the following amount, or so much thereof as is necessary, to
- 8 24 be used for the purposes designated:
- 8 25 For purposes of supporting a water quality research project
- 8 26 which studies the effectiveness of alternative technologies
- 8 27 used to reduce risks to water quality from effluent

CODE: Allows the DNR to use Stormwater Permit Fees to fund 2.00 FTE positions for the federal Total Maximum Daily Load (TMDL) Program.

Appropriates \$50,000 from the Agrichemical Remediation Fund in the Department of Agriculture and Land Stewardship to Iowa State University to continue to study the effectiveness of alternative technologies used at open cattle feedlots.

DETAIL: This is a decrease of \$50,000 compared to the estimated FY 2006 appropriation.

PG LN House File 2540 **Explanation** 8 28 originating from open feedlots which house beef cattle: 8 29 \$ 50,000 Specifies that Iowa State University cooperate with the Iowa 8 30 In conducting the project, lowa state university shall 8 31 cooperate with the lowa cattlemen's association, the Cattlemen's Association, the Department of Natural Resources, the Department of Agriculture and Land Stewardship, and the federal 8 32 department of natural resources, the department of agriculture Department of Agriculture Natural Resource Conservation Service. 8 33 and land stewardship, and the United States department of 8 34 agriculture natural resource conservation service. 8 35 Sec. 20. VETERINARY DIAGNOSTIC LABORATORY. General Fund appropriation to Iowa State University for operations at the Veterinary Diagnostic Laboratory. 9 1 1. There is appropriated from the general fund of the 9 2 state to lowa state university of science and technology for DETAIL: This is a new appropriation. 9 3 the fiscal year beginning July 1, 2006, and ending June 30, 9 4 2007, the following amount, or so much thereof as is 9 5 necessary, to be used for the purposes designated: 9 6 For purposes of supporting the college of veterinary 9 7 medicine for the operation of the veterinary diagnostic 9 8 laboratory: 9 9\$ 1,000,000 9 10 2. Iowa state university of science and technology shall Specifies ISU cannot reduce other funding to the Veterinary Diagnostic Laboratory and that any unallocated funds to the 9 11 not reduce the amount that it allocates to support the college Laboratory will revert to the General Fund at the end of the fiscal year. 9 12 of veterinary medicine from any other source due to the 9 13 appropriation made in this section. 9 14 3. If by the end of the fiscal year, lowa state university 9 15 of science and technology fails to allocate the moneys 9 16 appropriated in this section to the college of veterinary 9 17 science in accordance with this section, the moneys 9 18 appropriated in this section for that fiscal year shall revert 9 19 to the general fund of the state. 9 20 Sec. 21. VETERINARY DIAGNOSTIC LABORATORY -- FUTURE YEARS. Specifies the General Assembly intends to provide additional funding

FY 2010.

9 21 It is the intent of the general assembly that a future general

9 22 assembly appropriate moneys to lowa state university of

to the Veterinary Diagnostic Laboratory in future years. This includes

\$2,000,000 for FY 2008, \$3,000,000 for FY 2009, and \$4,000,000 for

9 23 science and technology for the designated fiscal years, or so

- 9 24 much thereof as is necessary, to be used for the purposes
- 9 25 designated:
- 9 26 For purposes of supporting the college of veterinary
- 9 27 medicine for the operation of the veterinary diagnostic
- 9 28 laboratory:
- 9 29 1. FY 2007-2008......\$ 2.000.000
- 9 30 2. FY 2008-2009.....\$ 3,000,000
- 9 31 3. FY 2009-2010......\$ 4.000.000
- 9 32 **MISCELLANEOUS**
- 9 33 Sec. 22. Section 455B.103A, subsection 4, Code Supplement
- 9 34 2005, is amended to read as follows:
- 9 35 4. a. An Except as provided in paragraph "b", an
- 10 1 applicant to be covered under a general permit shall pay a
- 10 2 permit fee, as established by rule of the commission, which is
- 10 3 sufficient in the aggregate to defray the costs of the permit
- 10 4 program. Moneys collected shall be remitted to the
- 10 5 department.
- 10 6 b. The commission shall adopt rules for a general permit
- 10 7 described in section 455B.197, including fees, only to the
- 10 8 extent that the rules are consistent with that section.
- 10 9 Sec. 23. Section 455B.105, subsection 11, Code Supplement
- 10 10 2005, is amended by adding the following new paragraph:
- NEW PARAGRAPH. c. The commission shall adopt rules for 10 11
- 10 12 applications or permits related to the national pollutant
- 10 13 discharge elimination system (NPDES) coverage as described in
- 10 14 section 455B.197, including fees, only to the extent that the
- 10 15 rules are consistent with that section.

CODE: Requires the DNR to deposit fees collected from the issuance of National Pollutant Discharge Elimination System (NPDES) permits into the NPDES Permit Fund.

DETAIL: The issuance of NPDES permits is authorized in the federal Clean Water Act to control water pollution by regulating point sources that discharge pollutants into the water. The permits are normally issued to industrial, municipal, and other types of facilities. The processing of federal NPDES permits is administered by the DNR.

CODE: Requires the Environmental Protection Commission to adopt Administrative Rules for the issuance of general permits issued by the Department under the NPDES Permit Fund.

CODE: Requires the Environmental Protection Commission to adopt Administrative Rules for the issuance of NPDES permits issued by the Department.

CODE: Creates an NPDES Permit Fund in the DNR.

PG LN House File 2540	Explanation
10 17 DISCHARGE ELIMINATION SYSTEM PERMIT FUND. 10 18	DETAIL: Money from payment of fees for the issuance of NPDES permits will be deposited into the NPDES Permit Fund.
28 2. Moneys in the national pollutant discharge elimination system permit fund shall be used only as provided in appropriations made from the fund by the general assembly which may include for purposes relating to expediting the department's processing of national pollutant discharge elimination system applications and the issuance of permits.	Specifies money in the NPDES Permit Fund will be appropriated by the General Assembly to the DNR for processing NPDES permit applications.
 34 3. Section 8.33 shall not apply to moneys credited to the 35 national pollutant discharge elimination system permit fund. 1 Notwithstanding section 12C.7, moneys earned as income or 2 interest from the fund shall remain in the fund until expended 3 as provided in this section. 	CODE: Specifies nonreversion of funds credited to the NPDES Permit Fund.
 11 4 Sec. 25. <u>NEW SECTION</u>. 455B.197 NATIONAL POLLUTANT 11 5 DISCHARGE ELIMINATION SYSTEM PERMITS. 11 6 The department may issue a permit related to the 11 7 administration of the national pollutant discharge elimination 11 9 and the property of the following Pollution 	CODE: Establishes the fees charged for NPDES permits. FISCAL IMACT: The increased fees will generate an additional \$700,000 in funds for the NPDES Permit Fund.

8 system permit program pursuant to the federal Water Pollution
9 Control Act, 33 U.S.C. ch. 26, as amended, and 40 C.F.R., pt.
10 124 including but not limited to storm water discharge permits
11 issued pursuant to section 455B.103A. The department may
11 provide for the receipt of applications and the issuance of
11 permits as provided by rules adopted by the department which

- 11 14 are consistent with this section. The department shall assess
- 11 15 and collect fees for the processing of applications and the
- 11 16 issuance of permits as provided in this section. The
- 11 17 department shall deposit the fees into the national pollutant
- 11 18 discharge elimination system permit fund created in section
- 11 19 455B.196. The fees shall be established as follows:
- 11 20 1. For a permit for the discharge from mining and
- 11 21 processing facilities, NPDES general permit no. 5, the
- 11 22 following fee schedule shall apply:
- 11 23 a. An annual permit, one hundred twenty-five dollars each
- 11 24 year.
- 11 25 b. For a multiyear permit, all of the following shall
- 11 26 apply:
- 11 27 (1) A three-year permit, three hundred dollars.
- 11 28 (2) A four-year permit, four hundred dollars.
- 11 29 (3) A five-year permit, five hundred dollars.
- 11 30 2. For coverage under the national pollutant discharge
- 11 31 elimination system (NPDES) individual permits for storm water,
- 11 32 for a construction permit, an application fee of one hundred
- 11 33 dollars.
- 11 34 3. For coverage under the national pollutant discharge
- 11 35 elimination system (NPDES) individual permits for nonstorm
- 12 1 water, the following annual fees apply:
- 12 2 a. For a major municipal facility, one thousand two
- 12 3 hundred seventy-five dollars.
- 12 4 b. For a minor municipal facility, two hundred ten
- 12 5 dollars.
- 12 6 c. For a semipublic facility, three hundred forty dollars.
- 12 7 d. For a facility that holds an operation permit, with no
- 12 8 wastewater discharge into surface waters, one hundred seventy
- 12 9 dollars.
- 12 10 e. For a municipal water treatment facility, a fee shall
- 12 11 not be charged.
- 12 12 f. For a major industrial facility, three thousand four
- 12 13 hundred dollars.
- 12 14 g. For a minor industrial facility, three hundred dollars.
- 12 15 h. For an open feedlot operation as provided in chapter

PG LN	House File 2540	Explanation
12 16 45	59A, an annual fee of three hundred forty dollars.	
12 17	i. For a new facility that has not been issued a current	
12 18 no	onstorm water NPDES permit, a prorated amount which shall be	
12 19 ca	alculated by taking the annual fee amount multiplied by the	
12 20 nu	umber of months remaining before the next annual fee due date	
12 21 div	vided by twelve.	
12 22	j. For a facility covered under an existing nonstorm water	
12 23 NF	PDES permit, a prorated amount which shall be calculated by	
12 24 tal	king the annual fee amount multiplied by the number of	
12 25 mg	onths remaining before the next annual fee due date divided	
12 26 by	twelve.	
12 27	k. For a nonstorm water permit as provided in this	
12 28 su	ubsection, a single application fee of eighty-five dollars.	
12 29	Sec. 26. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM	National Pollutant Discharge Elimination System Permit Fund
12 30 PE	ERMIT FUND APPROPRIATION TO THE DEPARTMENT OF NATURAL	appropriation to the DNR for processing applications for NPDES
12 31 RE	ESOURCES. There is appropriated from the national pollutant	permits.

12 34 year beginning July 1, 2006, and ending June 30, 2007, the
12 35 following amount, or so much thereof as is necessary, to be
13 1 used for the purposes designated:
13 2 For purposes of expediting the department's processing of
13 3 national pollutant discharge elimination system applications
13 4 and the issuance of permits, including salaries, support,

12 32 discharge elimination system permit fund created in section

12 33 455B.196 to the department of natural resources for the fiscal

13 5 maintenance, miscellaneous purposes, and for not more than the

13 6 following full-time equivalent positions:

DETAIL: This is a new appropriation.

- 13 9 Sec. 27. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
- 13 10 PERMIT FUND -- APPROPRIATION TO THE DEPARTMENT OF ECONOMIC
- 13 11 DEVELOPMENT. There is appropriated from the national
- 13 12 pollutant discharge elimination system permit fund created in
- 13 13 section 455B.196 to the department of economic development for

National Pollutant Discharge Elimination System Permit Fund appropriation to the DED for environmental advocates that will provide technical assistance to operations requiring a NPDES permit.

DETAIL: This is a new appropriation. One position will work with livestock operations and the other with non-livestock operations.

- 13 25 1. The department of economic development shall provide
- 13 26 one full-time equivalent position to support an environmental
- 13 27 advocate to provide technical assistance to persons engaged in
- 13 28 livestock operations who may require a national pollutant
- 13 29 discharge elimination system permit as provided in section
- 13 30 455B.197.
- 13 31 2. The department of economic development shall provide
- 13 32 one full-time equivalent position to support an environmental
- 13 33 advocate to provide technical assistance to persons who are
- 13 34 not engaged in livestock operations who may require a national
- 13 35 pollutant discharge elimination system permit as provided in
- 14 1 section 455B.197.
- 14 2 Sec. 28. Section 455E.11, subsection 2, paragraph a,
- 14 3 subparagraph (2), subparagraph subdivision (d), Code
- 14 4 Supplement 2005, is amended to read as follows:
- 14 5 (d) For the fiscal year beginning July 1, 2005, nine and
- 14 6 one-half percent to the department to establish permanent
- 14 7 household hazardous waste collection sites so that both urban
- 14 8 and rural populations are served and so that collection
- 14 9 services are available to the public on a regular basis.
- 14 10 Beginning July 1, 2006, six and one-quarter percent to the

Specifies that 1.00 FTE position will be an environmental advocate to provide NPDES permit assistance to livestock operations.

Specifies that 1.00 FTE position will be an environmental advocate to provide NPDES permit assistance to non-livestock operations.

Specifies that beginning in FY 2008, any unused funds collected for the establishment of permanent household hazardous waste collection sites will be used for payment of transportation costs related to household hazardous waste programs.

- 14 11 department to establish permanent household hazardous waste
- 14 12 collection sites so that both urban and rural populations are
- 14 13 served and so that collection services are available to the
- 14 14 public on a regular basis. Beginning July 1, 2007, three
- 14 15 percent to the department to establish permanent household
- 14 16 hazardous waste collection sites so that both urban and rural
- 14 17 populations are served and so that collection services are
- 14 18 available to the public on a regular basis. Any Beginning
- 14 19 July 1, 2008, any moneys collected pursuant to this
- 14 20 subparagraph subdivision that remain unexpended at the end of
- 14 21 a fiscal year for establishment of permanent household
- 14 22 hazardous waste collection sites shall be used for purposes of
- 14 23 subparagraph subdivision (e).
- 14 24 Sec. 29. TRAVEL POLICY.
- 14 25 1. For the fiscal year beginning July 1, 2006, each
- 14 26 department or independent agency receiving an appropriation in
- 14 27 this Act shall review the employee policy for daily or short-
- 14 28 term travel including but not limited to the usage of motor
- 14 29 pool vehicles under the department of administrative services,
- 14 30 employee mileage reimbursement for the use of a personal
- 14 31 vehicle, and the usage of private automobile rental companies.
- 14 32 Following the review, the department or agency shall implement
- 14 33 revisions in the employee policy for daily or short-term
- 14 34 travel as necessary to maximize cost savings.
- 14 35 2. Each department or independent agency subject to
- 15 1 subsection 1 shall report to the general assembly's standing
- 15 2 committees on government oversight regarding the policy
- 15 3 revisions implemented and the savings realized from the
- 15 4 changes. An initial report shall be submitted on or before
- 15 5 December 1, 2006, and a follow-up report shall be submitted on
- 15 6 or before December 1, 2007.

Requires the Department of Agriculture and the Department of Natural Resources to review the short-term use of vehicles and revise policies on short-term use to maximize cost savings. The departments are required to issue an initial report by December 1, 2006, and a follow-up report by December 1, 2007, to the Government Oversight Committees, on the policy revisions and savings realized from the changes.

15 7 Sec. 30. EFFECTIVE DATE. Section 10 of this Act,

15 8 providing for the allocation of moneys to the lowa shorthorn

Specifies the FY 2006 supplemental appropriation to the Iowa Shorthorn Association is effective on enactment.

- 15 9 association, and section 16 of this Act, relating to a
 15 10 stormwater discharge permit fees appropriation, being deemed
 15 11 of immediate importance, take effect upon enactment.
- 15 12 HF 2540
- 15 13 da:jp/es/25

Summary Data

General Fund

H.F. 2540	Actual FY 2005	Estimated FY 2006	S-Final Action FY 2006	Final Action FY 2007	Final Action vs Est FY 2006	Page & Line Number	
	(1)	(2)	(3)	(4)	(5)	(6)	
Ag. and Natural Resources	\$ 34,923,463	\$ 36,750,180	\$ 10,000	\$ 38,025,180	\$ 1,275,000		
Grand Total	\$ 34,923,463	\$ 36,750,180	\$ 10,000	\$ 38,025,180	\$ 1,275,000		

Ag. and Natural Resources

General Fund

H.F. 2540		Actual <u>FY 2005</u> (1)		Estimated FY 2006 (2)		S-Final Action FY 2006 (3)		Final Action FY 2007 (4)		Final Action vs Est FY 2006 (5)	Page & Line Number (6)	
Ag. & Land Stewardship Administrative Division Chronic Wasting Disease Regulatory Dairy Products Avian Influenza Apiary Program Soil Commissioners Expense Sr. Farmers Market Program Missouri River Authority Junior Cattle Show	\$	17,263,319 0 632,170 50,000 0 0 9,535	\$	17,837,900 100,000 643,166 50,000 40,000 200,000 77,000 9,535	\$	0 0 0 0 0 0 0 0	\$	17,837,900 100,000 693,166 50,000 40,000 250,000 77,000 9,535	\$	0 0 50,000 0 0 50,000 0 0	PG 1 LN 3 PG 1 LN 21 PG 2 LN 13 PG 2 LN 23 PG 3 LN 2 PG 3 LN 14 PG 3 LN 32 PG 4 LN 7 PG 4 LN 17	
Total Ag. & Land Stewardship	\$	17,955,024	\$	18,957,601	\$	10,000	\$	19,057,601	\$	100,000		
Natural Resources, Department of DNR Operations	\$	16,968,439	\$	17,792,579	\$	0	\$	17,967,579	\$	175,000	PG 4 LN 28	
Regents, Board of Iowa State Vet. Diagnostic Lab	\$	0	\$	0	\$	0	\$	1,000,000	\$	1,000,000	PG 8 LN 35	
Total Ag. and Natural Resources	\$	34,923,463	\$	36,750,180	\$	10,000	\$	38,025,180	\$	1,275,000		

Summary DataNon General Fund

H.F. 2540		Actual FY 2005		Estimated FY 2006		S-Final Action FY 2006		Final Action FY 2007			Final Action vs Est FY 2006	Page & Line Number	
		(1)		(2)	_	(3)	_		(4)	_	(5)	(6)	
Ag. and Natural Resources	\$	35,282,114	\$	36,638,873	\$		0	\$	39,033,873	\$	2,395,000		
Economic Development	\$	0	\$	0	\$		0	\$	100,000	\$	100,000		
Grand Total	\$	35,282,114	\$	36,638,873	\$		0	\$	39,133,873	\$	2,495,000		

Ag. and Natural Resources

Non General Fund

H.F. 2540	Actual FY 2005	 Estimated FY 2006	 S-Final Action FY 2006	 Final Action FY 2007	 Final Action vs Est FY 2006	Page & Line Number
	 (1)	 (2)	 (3)	 (4)	 (5)	(6)
Ag. & Land Stewardship Native Horse & Dog Program Open Feedlots Research Project	\$ 305,516	\$ 305,516 100,000	\$ 0	\$ 305,516 50,000	\$ -50,000	PG 2 LN 2 PG 8 LN 18
Total Ag. & Land Stewardship	\$ 305,516	\$ 405,516	\$ 0	\$ 355,516	\$ -50,000	
Natural Resources, Department of Fish & Wildlife Approp Snowmobile Fees To F&G Fund UST Administration Match NPDES Permit Fund Groundwater Protection Fund	\$ 31,220,766 100,000 200,000 0 3,455,832	\$ 32,477,525 100,000 200,000 0 3,455,832	\$ 0 0 0 0	\$ 34,322,525 100,000 200,000 600,000 3,455,832	\$ 1,845,000 0 0 600,000 0	PG 5 LN 6 PG 6 LN 27 PG 7 LN 5 PG 12 LN 29 PG 5 LN 34
Total Natural Resources, Department of	\$ 34,976,598	\$ 36,233,357	\$ 0	\$ 38,678,357	\$ 2,445,000	
Total Ag. and Natural Resources	\$ 35,282,114	\$ 36,638,873	\$ 0	\$ 39,033,873	\$ 2,395,000	

Economic Development

Non General Fund

H.F. 2540	Actual FY 2005		Estimated FY 2006	_	S-Final Action FY 2006		Final Action FY 2007	 Final Action vs Est FY 2006	Page & Line Number
	(1)		(2)		(3)	_	(4)	 (5)	(6)
Economic Development, Dept. of NPDES Env. Advocate	\$	0	\$ 0	\$	3	0	\$ 100,000	\$ 100,000	PG 13 LN 9

Summary Data

FTE

H.F. 2540	Actual FY 2005	Estimated FY 2006	S-Final Action FY 2006	Final Action FY 2007	Final Action vs Est FY 2006	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
Ag. and Natural Resources	1,390.72	1,507.02	0.00	1,524.02	17.00	
Economic Development	0.00	0.00	0.00	2.00	2.00	
Grand Total	1,390.72	1,507.02	0.00	1,526.02	19.00	

Ag. and Natural Resources

FTE

H.F. 2540	Actual FY 2005 (1)	Estimated FY 2006 (2)	S-Final Action FY 2006 (3)	Final Action FY 2007 (4)	Final Action vs Est FY 2006 (5)	Page & Line Number (6)
Ag. & Land Stewardship Administrative Division	352.03	404.39	0.00	404.39	0.00	PG 1LN 3
Natural Resources, Department of DNR Operations NPDES Permit Fund	1,038.69 0.00	1,102.63 0.00	0.00 0.00	1,113.63 6.00	11.00 6.00	PG 4 LN 28 PG 12 LN 29
Total Natural Resources, Department of	1,038.69	1,102.63	0.00	1,119.63	17.00	
Total Ag. and Natural Resources	1,390.72	1,507.02	0.00	1,524.02	17.00	

Economic Development FTE

H.F. 2540	Actual FY 2005 (1)	Estimated FY 2006 (2)	S-Final Action FY 2006 (3)	Final Action FY 2007 (4)	Final Action vs Est FY 2006 (5)	Page & Line Number (6)
Economic Development, Dept. of NPDES Env. Advocate	0.00	0.00	0.00	2.00	2.00	PG 13 LN 9